

63A-2-404 Acquisition of federal surplus property -- Powers and duties -- Advisory boards and committees -- Expenditures and contracts -- Clearinghouse of information -- Reports.

- (1) The division may:
 - (a) acquire from the United States under and in conformance with the property act any federal surplus property under the control of any department or agency of the United States that is usable and necessary for any purposes authorized by federal law;
 - (b) warehouse federal surplus property if it is not real property; and
 - (c) distribute federal surplus property within this state to:
 - (i) tax-supported medical institutions, hospitals, clinics, and health centers;
 - (ii) school systems, schools, colleges, and universities;
 - (iii) other nonprofit medical institutions, hospitals, clinics, health centers, schools, colleges, and universities that are exempt from taxation under Section 501(c)(3) of the United States Internal Revenue Code of 1954;
 - (iv) civil defense organizations;
 - (v) political subdivisions; and
 - (vi) any other types of institutions or activities that are eligible to acquire the federal surplus property under federal law.
- (2) The division may:
 - (a) receive applications from eligible health and educational institutions for the acquisition of federal surplus real property;
 - (b) investigate the applications;
 - (c) obtain opinions about those applications from the appropriate health or educational authorities of this state;
 - (d) make recommendations about the need of the applicant for the property, the merits of the applicant's proposed use of the property, and the suitability of the property for those purposes; and
 - (e) otherwise assist in the processing of those applications for acquisition of real and related personal property of the United States under the property act.
- (3) The division may appoint advisory boards or committees.
- (4) If required by law or regulation of the United States in connection with the disposition of surplus real property and the receipt, warehousing, and distribution of surplus personal property received by the division from the United States, the division may:
 - (a) make certifications, take action, and make expenditures;
 - (b) enter into contracts, agreements, and undertakings for and in the name of the state including cooperative agreements with the federal agencies providing for use by and exchange between them of the property, facilities, personnel, and services of each by the other;
 - (c) require reports; and
 - (d) make investigations.
- (5) The division shall act as the clearinghouse of information for public and private nonprofit institutions, organizations, and agencies eligible to acquire federal surplus real property to:
 - (a) locate both real and personal property available for acquisition from the United States;
 - (b) ascertain the terms and conditions under which that property may be obtained;
 - (c) receive requests from those institutions, organizations, and agencies and transmit to them all available information in reference to that property; and
 - (d) aid and assist those institutions, organizations, and agencies in every way possible in those acquisitions or transactions.
- (6) The division shall:
 - (a) cooperate with the departments or agencies of the United States;

- (b) file a state plan of operation;
- (c) operate according to that plan;
- (d) take the actions necessary to meet the minimum standards prescribed by the property act;
- (e) make any reports required by the United States or any of its departments or agencies; and
- (f) comply with the laws of the United States and the regulations of any of the departments or agencies of the United States governing the allocation of, transfer of, use of, or accounting for any property donated to the state.

Amended by Chapter 151, 2013 General Session